

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
<b>Shareholders of</b>	)	
<b>The Chugwater Telephone Company,</b>	)	
	)	
Transferors,	)	
	)	
and	)	File No. _____
	)	
<b>Mountain West Technologies Corporation,</b>	)	
	)	
Transferee.	)	
	)	
For Consent to Transfer Control pursuant to Section 214	)	
of the Communications Act of 1934, as amended	)	

**APPLICATION FOR TRANSFER OF CONTROL**

Pursuant to Sections 63.03 and 63.04 of the Commission's Rules, (47 C.F.R. §§ 63.03 and 63.04), the Shareholders of The Chugwater Telephone Company ("Chugwater" or "Transferors") and Mountain West Technologies Corporation ("MWTC" or "Transferee") (together, "Applicants") hereby respectfully request authorization to consummate a transaction whereby MWTC will purchase one hundred percent (100%) of the issued and outstanding shares Chugwater, and thus obtain control.

As demonstrated herein, the proposed transaction is entitled to streamlined treatment pursuant to section 63.03(b)(2)(ii) of the Commission's Rules. In the alternative, streamlined treatment is justified through the Commission's case-by-case process in determination of such matters.

In support of this request, Applicants show the following:

**(1) Name, address and telephone number of each applicant:**

**Transferors:**

Shareholders of The Chugwater Telephone Company  
225 2nd Street  
PO Box 223  
Chugwater WY 82210  
Phone: (307) 422-3535

**Transferee:**

Mountain West Technologies Corporation  
123 West 1st Street  
Suite C-95  
Casper WY 82601  
Phone: (307) 233-8400

**(2) Government, state or territory under the laws of which each corporate or partnership applicant is organized**

Both The Chugwater Telephone Company and Mountain West Technologies Corporation are organized under the laws of the State of Wyoming.

**(3) Name, title, post office address, and telephone number of the officer or contact point to whom correspondence concerning the application is to be addressed**

**For the Shareholders of The Chugwater Telephone Company:**

Greg Cashner  
225 2nd Street  
PO Box 223  
Chugwater WY 82210  
Phone: (307) 422-3535

**For Mountain West Technologies Corporation:**

James Bruce Moberly  
123 West 1st Street  
Suite C-95  
Casper WY 82601  
Phone: (307) 233-8400

*With copies for each applicant to:*

Sylvia Lesse  
Communications Advisory Counsel LLC  
5151 Wisconsin Avenue, NW, Suite 311  
Washington, DC 20016  
Phone: (202) 333-5273

**(4) Name, address, citizenship and principal business of any person or entity that directly or indirectly owns at ten percent of the equity of the applicant entities:**

**Transferors:**

<u>Name &amp; Address</u>	<u>Equity</u>	<u>Citizenship</u>	<u>Principal Business</u>
Kris Cashner 229 S 84th Way Mesa AZ 85208	70%	USA	retired

No other person or entity owns 10% of more of the shares of Chugwater.<sup>1</sup>

**Transferee:**

<u>Name &amp; Address</u>	<u>Equity</u>	<u>Citizenship</u>	<u>Principal Business</u>
James Bruce Moberly 123 West 1st Street Suite C-95 Casper WY 82601	39.1%	USA	telecommunications
Larry Emmette Ash 123 West 1st Street Suite C-95 Casper WY 82601	18.8%	USA	telecommunications
James Coberly 123 West 1st Street Suite C-95 Casper WY 82601	18.8%	USA	telecommunications

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<sup>1</sup> Ms. Lois Cashner (retired), the wife of Mr. Kris Cashner, holds 5% of the equity interests in Chugwater. Ms. Cashner is a US citizen, and may be contacted utilizing Chugwater's mailing address.

No other person or entity owns 10% or more of the shares of MWTC.<sup>2</sup>

**(5) Certification pursuant to 47 C.F.R. §§ 1.2001-1.2003 that no party to the application is subject to denial of federal benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 583**

Applicants hereby certify, pursuant to 47 C.F.R. §§ 1.2001-1.2003, that to the best of their knowledge, information, and belief, no party to the application is subject to denial of federal benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 583.

**(6) Description of the transaction**

MWTC proposes the purchase of 100% of the issued and outstanding stock of Chugwater, an incumbent local exchange carrier ("ILEC") providing service to rural communities in southeastern Wyoming.

**(7) Description of the geographic areas in which the transferor and transferee (and their affiliates) offer domestic telecommunications services, and what services are provided in each area**

**Transferors:**

Chugwater provides local voice service and broadband Internet services to 140 subscribers in and around Chugwater, Platte County, Wyoming.

**Transferee:**

Applicant MWTC is a competitive local exchange carrier ("CLEC") providing competitive local exchange and exchange access services in central Wyoming to approximately 590 loops in CenturyLink exchanges within Natrona and Converse

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<sup>2</sup> Mr. Robert W. Moberly, brother of Mr. James Bruce Moberly, owns a 1.7% direct equity interest in MWTC, and an indirect interest of 5.76% through his 60% ownership interest in WERC Corporation, a Wyoming corporation engaged principally in insurance and real estate, that holds 9.6% of the equity interest in MWTC. Accordingly, his total derivative interest in MWTC is 7.46%. Mr. Moberly is a US citizen, and may be contacted utilizing MWTC's mailing address.

Counties, Wyoming. Within this footprint, MWTC also offers long distance, broadband, and data storage services.

There is no overlap of areas currently being served between the dominant (incumbent) service area of Chugwater and MWTC's CLEC service areas. *See* map attached as Exhibit A.

**(8) Statement as to how the application fits into one or more of the presumptive streamlined categories in Section 63.03 of the Commission's Rules or why it is otherwise appropriate for streamlined treatment**

As demonstrated below, this application is presumptively entitled to streamline procedures pursuant to Section 63.03(b)(2)(ii) of the Commission's Rules. In addition, streamlined treatment is appropriate generally<sup>3</sup> in this situation because the proposed transaction will have no adverse effect on local competition, and the proposed transaction will not negatively affect the national competitive marketplace. The transaction involves only a sale of equity interests to a qualified operator, and customers will continue to receive service at the same rates, and under the same terms and conditions, as are currently in effect for at least ninety (90) days after the close of the proposed transaction. These factors, together with the absence of any novel questions of law, fact or policy, render this Application suitable for streamlined treatment.

Section 63.03(b)(2)(ii) affords streamlined procedures where a proposed transaction would result in a transferee having a market share in the interstate, interexchange market of less than 10 percent, competitive service is provided exclusively in geographic areas served by a dominant local exchange carrier that is not a party to the

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<sup>3</sup> In addition to the categories of transactions entitled presumptively to streamlined processing, applications may be deemed appropriate for streamlined treatment on a case-by-case basis. *See, generally, Implementation of Further Streamlining Measures for Domestic Section 214 Authorizations*, Report and Order, 17 FCC Rcd 5517, 5535.

transaction (here, CenturyLink), and Applicants are (i) a dominant carrier (Chugwater) and (ii) a non-dominant carrier (MWTC) that provides services exclusively outside the geographic area where Chugwater is dominant.<sup>4</sup> As demonstrated above, there is no overlap of areas currently being served by the Applicants. Accordingly, streamlined treatment is warranted.

**(9) Identification of all other Commission applications related to the same transaction**

None.

**(10) Statement of whether the applicants are requesting special consideration because either party to the transaction is facing imminent business failure**

Neither party to the transaction is facing imminent business failure. Therefore, Applicants are not requesting special consideration for this reason.

**(11) Identification of any separately filed waiver requests being sought in conjunction with the transaction**

No separately filed waiver requests are being sought in conjunction with the transaction.

**(12) Statement showing how grant of the application will serve the public interest, convenience and necessity, including any additional information that may be necessary to show the effect of the proposed transaction on competition in domestic markets**

After the proposed transaction, Chugwater will continue to operate in the same service territory, and under the same trade name. Chugwater will continue to offer services pursuant to its current rates, terms and conditions. No carrier change charges are associated with the transaction, and no customer service or billing contact information

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<sup>4</sup> 47 C.F.R. § 63.03(b)(2)(ii).

will change as a result of the transfer. The transaction will not affect any customer's preferred carrier freezes.

The proposed transaction will serve the public interest by ensuring no interruption of service, no inconvenience to the affected customers, and no significant diminution in the availability of competitive local services. Transferee has the technical, financial and managerial capabilities to continue the provision of quality service to Transferor's customers. Accordingly, Applicants respectfully request that the Commission grant the Application as soon as practicable.

#### **Conclusion**

For the foregoing reasons, the Applicants respectfully request the expeditious grant of this Application.

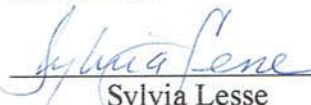
Respectfully submitted,

**SHAREHOLDERS OF  
THE CHUGWATER TELEPHONE  
COMPANY**

and

**MOUNTAIN WEST TECHNOLOGIES  
CORPORATION**

By:

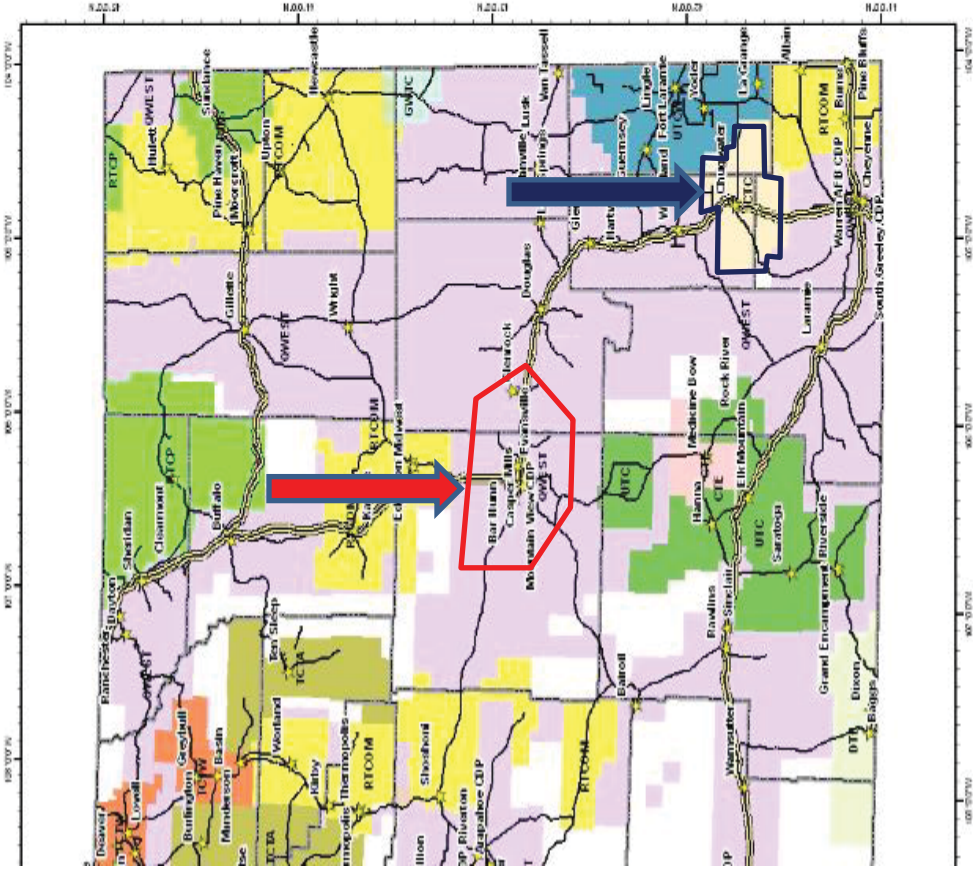
  
Sylvia Lesse  
Their Counsel

Communications Advisory Counsel, LLC  
5151 Wisconsin Avenue, NW  
Suite 311  
Washington, DC 20016  
Tel: 202-333-5273  
E-mail: sylvia@independent-tel.com

Date: January 28, 2015



# Mountain West Technologies Corporation Relative to The Chugwater Telephone Company



The Chugwater  
Telephone  
Company Area

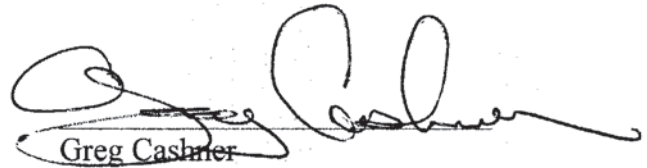
Mountain West  
Technologies  
Corporation



## DECLARATION OF GREG CASHNER

I, Greg Cashner, Secretary/Treasurer and General Manager of The Chugwater Telephone Company, do hereby declare under penalty of perjury that I have read the foregoing "APPLICATION FOR TRANSFER OF CONTROL" and the information contained therein regarding The Chugwater Telephone Company is true and accurate to the best of my knowledge, information, and belief.

1-23-2015  
Date

  
Greg Cashner

# DECLARATION OF JAMES BRUCE MOBERLY

I, James Bruce Moberly, President of Mountain West Technologies Corporation, do hereby declare under penalty of perjury that I have read the foregoing "APPLICATION FOR TRANSFER OF CONTROL" and the information contained therein regarding Mountain West Technologies Corporation is true and accurate to the best of my knowledge, information, and belief.

1/15/2015  
Date

James Bruce Moberly  
James Bruce Moberly

## CERTIFICATE OF SERVICE

I, Sylvia Lesse, of Communications Advisory Counsel, LLC, do hereby verify that on this 28th day of January, 2015, I caused to be sent via First Class US Mail, postage prepaid, the foregoing "APPLICATION FOR TRANSFER OF CONTROL" to the following:

The Hon. Matt Mead  
Office of the Governor  
State Capitol  
200 West 24th Street  
Cheyenne WY 82002

US Department of Defense  
Assistant Secretary for Network Information and Integration (NII)  
6000 Defense Pentagon  
Washington, DC 20301-6000

US Department of State  
EB/CIP/SCA  
Room 4826  
2001 C Street, NW  
Washington, DC 20520

\*Dennis Johnson  
Wireline Competition Bureau  
Federal Communications Commission  
445 12th Street SW  
Washington DC 20554

\*Tracey Wilson-Parker  
Wireline Competition Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington DC 20554

\* via e-mail

  
\_\_\_\_\_  
Sylvia Lesse

# Agency Tracking ID:PGC2629427 Authorization Number:283833

## Successful Authorization -- Date Paid: 1/28/15 FILE COPY ONLY!!

READ INSTRUCTIONS CAREFULLY BEFORE PROCEEDING  (1) LOCKBOX # <b>979091</b>	FEDERAL COMMUNICATIONS COMMISSION <b>REMITTANCE ADVICE</b> <b>FORM 159</b> PAGE NO 1 OF 1	APPROVED BY OMB 3060-059 SPECIAL USE FCC USE ONLY
<b>SECTION A - Payer Information</b>		
(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card) <b>Sylvia Lesse</b>		(3) TOTAL AMOUNT PAID (dollars and cents) <b>\$1130.00</b>
(4) STREET ADDRESS LINE NO. 1 <b>2154 Wisconsin Ave NW</b>		
(5) STREET ADDRESS LINE NO. 2		
(6) CITY <b>Washington</b>	(7) STATE <b>DC</b>	(8) ZIP CODE <b>20007</b>
(9) DAYTIME TELEPHONE NUMBER (INCLUDING AREA CODE) <b>202-3335273</b>		(10) COUNTRY CODE (IF NOT IN U.S.A.) <b>US</b>
<b>FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED</b>		
(11) PAYER (FRN) <b>0010900918</b>	(12) FCC USE ONLY	
<b>IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)</b>		
(13) APPLICANT NAME <b>The Chugwater Telephone Company</b>		
(14) STREET ADDRESS LINE NO. 1 <b>225 2nd St</b>		
(15) STREET ADDRESS LINE NO. 2 <b>PO Box 223</b>		
(16) CITY <b>Chugwater</b>	(17) STATE <b>WY</b>	(18) ZIP CODE <b>82210</b>
(19) DAYTIME TELEPHONE NUMBER (INCLUDING AREA CODE) <b>307-4223535</b>		(20) COUNTRY CODE (IF NOT IN U.S.A.) <b>US</b>
<b>FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED</b>		
(21) APPLICANT (FRN) <b>0001631084</b>	(22) FCC USE ONLY	
<b>COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET</b>		
(23A) FCC Call Sign/Other ID <b>na</b>	(24A) Payment Type Code(PTC) <b>CDT</b>	(25A) Quantity <b>1</b>
(26A) Fee Due for (PTC) <b>\$1,130.00</b>	(27A) Total Fee <b>\$1130.00</b>	FCC Use Only

(28A) FCC CODE 1 <b>na</b>	(29A) FCC CODE 2 <b>na</b>
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(23B) FCC Call Sign/Other ID	(24B) Payment Type Code(PTC)	(25B) Quantity
(26B) Fee Due for (PTC)	(27B) Total Fee	FCC Use Only
(28B) FCC CODE 1	(29B) FCC CODE 2	